**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

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Exparte STEPHAN MICHAEL REUNING and NICOLE L BAKOS

Appeal No. 2006-0580
Application No. 09/911,024

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ON BRIEF

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Before HAIRSTON, KRASS and NAPPI, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1 through 66[1].

The disclosed invention relates to a method and system for harvesting professional profiles via a search of the Internet.

Claim 1 is illustrative of the claimed invention, and it reads as follows:

1. A method for harvesting professional profiles, the method comprising:

Searching the Internet,

Identifying web pages and Internet postings containing professional profile data,

[1] We note that claims 13 and 46 in the brief are identical claims.

Collecting said professional profile data,

Identifying in said professional profile text strings constituting contact information data, and

Storings said Professional Profile and said contact information data into a data structure.

The references relied on by the examiner are:

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|---|---|---|
| Peach et al. (Peach) | 5,321,604 | June 14, 1994 |
| Boguraev | 5,799,268 | Aug. 25, 1998 |
| Hartman et al. (Hartman) | 2002/0111958 | Aug. 15, 2002 (effective filing date Feb. 8, 1996) |

Mossberg, "Personal technology: Threats to privacy on-line become more worrisome," The Wall Street Journal, Oct. 24, 1996.

Claims 1 through 25, 33 through 58 and 66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartman in view of Mossberg and Boguraev.

Claims 26 through 32 and 59 through 65 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartman in view of Mossberg and Peach.

Reference is made to the brief and the answer for the respective positions of the appellants and the examiner.

OPINION

We have carefully considered the entire record before us, and we will reverse the obviousness rejection of claims 1 and 2, and sustain the obviousness rejections of claims 3 through 66.

We agree with the examiner's finding that Hartman describes the last three steps of claim 1 (i.e., "collecting professional profile data, Identifying contact information data, and Storing said

Professional Profile and said contact information data into a data structure") (answer, page 5). We additionally agree with the examiner's finding that Hartman fails to describe the first two steps of claim 1 (i.e., "Searching the Internet, Identifying web pages and Internet postings containing profile data") (answer, page 5). According to the examiner (answer, page 6), "Mossberg discloses a method for harvesting professional profiles, the method comprising: Searching the Internet, Identifying web pages and Internet postings containing profile data." Since "[n]either Hartman nor Mossberg disclose identifying in said professional profile text strings constituting contact information data," the examiner turns to Boguraev which "teaches identifying information data in document text strings" (answer, page 6).

The examiner's contentions to the contrary notwithstanding, we can not find any teachings in Mossberg of searching the Internet to identify "web pages and Internet postings containing profile data." Mossberg teaches that data mining of the Internet can be used to "scoop up your e-mail address" or "capture your 'click stream,' which is the history of what you choose to view on the Web." Even if we assume for the sake of argument that the data mining in Mossberg is of profile data, we agree with the appellants' arguments (brief, page 14) that one of ordinary skill in the art would not have used such a teaching in Hartman because all data that will be searched in Hartman is mined from a fixed database in memory 14 that is accessed via the specific IP address of the server 12 (paragraphs 0057, 0058, 0067 and 0068). The act of accessing a specific site via the Internet does not involve the steps of "Searching the Internet" and "Identifying web pages and Internet postings" as set forth in claim 1 on appeal. Since the "text strings" teachings of Boguraev can not remedy the deficient teachings of Hartman and

Mossberg, we agree with the appellants' conclusion (answer, page 18) that a prima facie case of obviousness of claim 1 is not established with the applied references. Thus, the obviousness rejection of claims 1 and 2 is reversed.

Turning to the obviousness rejections of claims 3 through 66, we find that the appellants have not presented any patentability arguments for these claims. Accordingly, the obviousness rejections of these claims are sustained.

## DECISION

The decision of the examiner rejecting claims 1 through 66 under 35 U.S.C. § 103(a) is reversed as to claims 1 and 2, and is affirmed as to claims 3 through 66.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a)(1)(iv).

AFFIRMED-IN-PART

KENNETH W. HAIRSTON )
Administrative Patent Judge )
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ERROL A. KRASS ) BOARD OF PATENT
Administrative Patent Judge ) APPEALS AND
) INTERFERENCES
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